



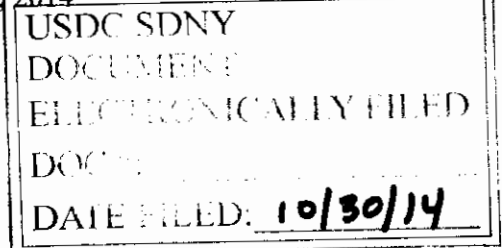
United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza

October 28, 2014

BY ECF

The Honorable Richard M. Berman
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007



Re: **United States v. Rudy Kurniawan**, 12 Cr. 376 (RMB)

Dear Judge Berman:

The Government writes regarding the Petition In Response to the Preliminary Order of Forfeiture dated August 5, 2014, (the "Preliminary Order") filed by Acker Merrall & Condit Company ("AMC"), and the Request to Grant a Motion for Admission *Pro Hac Vice*, filed by Drew R. Hansen, Esq., on behalf of putative Claimant Pacific Wine Distributors, Inc. ("PWD"). Both AMC and PWD assert an interest in certain of the assets subject to the Preliminary Order.

The Government has been in communication with counsel for both AMC and PWD in furtherance of attempts to reach a global disposition as between all parties. The Government continues to review certain disclosures made by AMC in connection with the underlying criminal investigation of the defendant Rudy Kurniawan, and currently expects that negotiated resolution of the claim of AMC and the expected claim PWD is a likely outcome that will obviate the need for an ancillary hearing.

Upon consultation with counsel for AMC and PWD, and with the consent of counsel for each, the Government respectfully requests that the Court grant the parties until November 14, 2014, to continue efforts to reach a negotiated disposition. On or before November 14, 2014, the Government will provide the Court with an update as to settlement discussions, and, if no settlement has been reached at that point, propose (jointly with all claimants then appearing in the case) a schedule for conducting any appropriate discovery and briefing relating to these ancillary proceedings. The Government of course has no objection to the application of Mr. Hansen to appear *pro hac vice* in this matter presuming the Court finds that application satisfactory. Moreover, the Government agrees that PWD may file a claim in this case, should it

wish to do so, on or before November 14, 2014, without being barred by the otherwise applicable time limits for the filing of such a claim as provided in Rule 32.2 of the Federal Rules of Criminal Procedure.

Respectfully submitted,

PREET BHARARA
United States Attorney

By:

/s/
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Cc: Andrew J. Weinstein, Esq. (by ECF)
Evan T. Barr, Esq. (by ECF)
Evan Glassman, Esq. (by ECF)
Drew R. Hansen, Esq. (by email)

<u>Application granted.</u>	
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SO ORDERED: Date: <u>10-30-14</u>	<u>Richard M. Berman</u> Richard M. Berman, U.S.D.J.